

**North Carolina 911 Board  
MINUTES  
September 26, 2008**

<u>Members Present</u>	<u>Staff Present</u>	<u>Guest</u>
Jason Barbour (NCNENA)	Ron Adams (ITS)	Jim Clark (Synergem)
Wayne Bowers (NCLM)	Richard Bradford (DOJ)	Matthew Cox (Verizon Business)
Frank Cairon (CMRS)	Marsha Tapler (ITS)	Doreen Crabtree (Verizon Business)
Dave Corn (LEC)	Richard Taylor (ITS)	Karen Fink (Verizon Business)
Robert Cherry (Police Chief)		Barry Furey (Raleigh-Wake 911)
Alan Cloninger (Sheriff)		Tim Gundlach (L. R. Kimball & Associates)
Bill Craigle (CMRS)		James Holloway (ECU College of Business)
Christi Derreberry (CMRS)		Emmy Isbell (Embarq)
David Dodd (NCAPCO)		James McLeod (Embarq)
Joe Durham (NCACC)		John McShane (ITS Finance)
Margie Fry (VoIP)		Karlynn O'Shaughnessy (NCGA)
Jerry Jones (LEC)		Tonya Pearce (NCNENA)
Wesley Reid (NCNENA)		Phillip Penny (IPC/Positron)
Slayton Stewart (CMRS)		Mick Reed (Washington P.D.)
Laura Sykora (LEC)		Elaine Seeman (ECU College of Business)
Jean Thaxton (LEC)		James Smith (City of Washington)
Bill Willis (Deputy NC CIO)		Marsha Withrow (Charlotte Fire/NCAPCO)
<u>Members Absent</u>	<u>Staff Absent</u>	

**Chair's Welcoming Remarks:**

Chairman Willis called the meeting to order at 10:00 AM.

**Ethics Awareness/Conflict of Interest Statement**

Referring to the conflict of interest statement printed on the agenda, Chairman Willis asked if any Board members wished to note any potential conflicts of interest in matters coming before the Board today. None were cited.

## **Approval of Minutes**

Chairman Willis asked if any member of the Board wished to offer any corrections or modifications to the minutes of the June 20, 2008 NC 911 Board meeting or the special called July 28, 2008 meeting. Hearing none, Joe Durham made a motion to accept the minutes as presented, Jason Barbour seconded, and the motion carried unanimously.

## **Update on PSAP Fund Distribution and Revenues Received to Date**

Referring to the change in distribution percentages approved at the special called July 28, 2008 meeting, Richard Taylor reported that sufficient funds have been received to enable payment of the FY 2008 true-up checks, which have been mailed out. He said that now that the true-up has been completed, the monthly amount necessary to pay the PSAPs is about \$200k less than had originally been projected. He summarized that right now we're pretty close to the model presented at that July 28 meeting, so he feels the percentage change has worked well thus far and everything is on track.

Chairman Willis added that we will monitor these balances, and as we move back into a more balanced situation we will re-visit the percentage allocations and may modify them to maintain that balance as necessary.

Before moving to the next agenda item, Sheriff Cloninger asked if Vonage is paying 911 fees, and Richard Taylor confirmed that they are.

## **Approval of Amended Cost Recovery: North State Communications**

Richard Taylor reported that North State Communications has added two additional tower sites and has amended its cost recovery plan accordingly. He explained the cost recovery plan process for the benefit of Board members who are new to the Board, and recommended approval of North State's amended plan. Sheriff Cloninger made a motion to approve, and Jerry Jones offered a second. During discussion, Slayton Stewart asked for confirmation that nothing is out of the ordinary regarding the two towers. Mr. Taylor assured him it was just continued build out. Chairman Willis called the motion, which carried unanimously with no abstentions.

## **Approval of 2008-2009 Budget**

Marsha Tapler asked if any Board members had questions about the budget as presented to them in advance of the meeting. Chairman Willis observed there were several significant changes in some line items, and asked if Marsha or Richard Taylor would speak to each of those in more detail. Marsha began those explanations, and questions arose over why travel expenses incurred by Intrado in fulfillment of its contract were listed as Board Member Travel. Marsha replied that was how e-procurement required it be reported. Jerry Jones asked if that cost was included in their contract, and Marsha replied yes, that it had to be broken out of the total contract cost to satisfy the e-procurement requirements. Observing that the amount seemed to be high going forward, Laura Sykora asked if that amount was still owed, and Marsha replied that we have not yet been billed for any of it.

Several Board members suggested changes be made to descriptors, or that some lines be parsed out into separate lines according to actual use. Chairman Willis said that he understands that Marsha can't separate them in the State fund lines on the actual budget, but noted she could break them out in the *presentation* of the budget: e.g. one for Board Member Travel and one for Contractor Travel Expenses.

As multiple further questions arose regarding specific amounts, Chairman Willis observed that he hadn't seen this budget until yesterday, and said that he was going to take it off the table for today, noting that approval could wait until the next meeting. He said that between now and the October 24 meeting, with Board concurrence, he would like to go back to look at the details of this budget and some of the forecasts to make sure he understands really well how some of the increases were estimated. He said that then he will come back with better explanations of these increases and things like that.

Jason Barbour asked if this budget runs from October or July, and Chairman Willis told him it was July. Laura Sykora asked if work papers could be shared with Board members, and Chairman Willis said that he will provide both work papers and justifications for any dramatic changes in the numbers so members will be able to study that before the next meeting.

Wayne Bowers asked Richard Taylor what TRS represents, and Richard explained that it is the Telephone Relay Service for deaf and hard of hearing people. He said that the legislature decided three or four years ago to collect a TRS service fee from wireless providers similar to the one it already collected from wireline providers, which was remitted directly to DHHS. The wireless industry, however, did not want to remit to DHHS; they wanted the money to go to the Wireless 911 Board. The Wireless 911 Board served only as a pass-through, however: it would receive a check, and immediately write a check to DHHS. The consolidated 911 Board has inherited that function from the Wireless 911 Board, and continues that today.

Jerry Jones asked if projected versus actual expenditures for the past fiscal year could be explained in some detail in the next version of the budget presentation, and Chairman Willis assured him that would happen. With no further discussion and Board concurrence, Chairman Willis tabled the budget presentation until the next meeting and moved to the next agenda item.

### **Consideration of Funding for the City of Washington**

Chairman Willis recognized Washington City Manager Jim Smith, who introduced Police Chief Mick Reed. He said that they serve the City of Washington, with a population of approximately 10K, and that they also dispatch Police, Fire, and EMS for the town of Washington Park and Washington Township, with a population of a little under 5K. He then asked Chief Reed to explain their situation up to the "money part", and said that he would pick it back up there.

Chief Reed thanked the Board for providing time to allow them to speak. He said that in June of 2007 he was appointed Chief of Police. At that time he began a review of the department's 911 center, which is capable of receiving wireline 911 calls. Observing that he inherited the 07-08 budget, he said he and the City Manager began a process

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targeting upgrading their 911 system capability in early 2008. As they began the 08-09 budget process, he noted that they were considering the possibility of establishing a consolidated E-911 center with Beaufort County Sheriff's Office, with whom, he added, they have a good working relationship. Noting that he was new to the State, the community, and the department, he said that during that budget process he was relying on their Finance Officer regarding what kinds of funds they could receive. He observed that this was when the transition to the consolidated 911 Board was taking place, and they were under the impression that they would continue to receive the same funding they had received in the past. He restated that during their budget making process they had been looking at considering moving to a consolidated PSAP in the future, but added they were also looking at upgrading their current PSAP. It was during that process that he contacted Richard Taylor for some guidance, and it was only then that he learned that their interpretation of their PSAP's funding eligibility and the current statutory directives conflicted. He added that at no time prior to that were they directly contacted and told that because their PSAP was incapable of receiving wireless 911 calls their funding would cease. He said they were not aware that the funding had stopped until, frankly, the money stopped coming. He said that was when he started making inquiries and discovered they were no longer considered a Primary PSAP. With that, he relinquished the floor back to Mr. Smith.

Mr. Smith quoted from a letter that he said people in county or city administration had received from "the Association of Counties and League of Municipalities" stating that they had "...worked closely with the Legislature to ensure that counties and cities are held harmless. Landline receipts collected under the statewide system should equal or exceed those collected locally in 2006-2007." Mr. Smith said that letter had led them to believe that they would receive the same \$66K they had received during the prior year. He said that originally they had planned to "go wireless" with this budget, but because of the tentative agreement that they had gotten signed, with approval from the City Council and the County Commissioners, to go to a "unified dispatch PSAP system", the council had said, and Mr. Smith and Chief Reed felt they couldn't disagree, that "spending the money twice for us to go wireless" and the next year going to the new system "didn't make a whole lot of sense."

Mr. Smith said that they had appropriated out of the \$66K they had expected to receive \$24K for their selective routing contract, \$8.4K for Positron maintenance, and \$8K for their CAD contract. He said they kept \$25.6K set aside to distribute to the county for "the new dispatch center that was going to be set up, or for us to go wireless in the future." Mr. Smith observed that left them in a very serious situation when they found out they were not receiving the money. He said the Sheriff has advised them that he does not have the capacity to pick up the City of Washington, Washington Township, and Washington Park, given the "number of stations and dispatchers" that he has.

Mr. Smith offered three alternatives they think could be considered for resolving this problem. He said that number one, he understood from his conversations with Richard Taylor that the requirement that a PSAP has to be capable of receiving wireless 911 calls is not specifically stated, but is based upon interpretation of the statutory language, so they could dispute the interpretation. He quickly added, however, that they did not intend to do that. He then said a second option would be for them to receive the \$66K as the legislation "was understood by the League and the County Commissioners



Association", and they would proceed with moving ahead to provide wireless service either themselves or through a consolidation with the County. He laid out a third option by saying they understood there is a grant program and that they could request a one-time grant for the \$66K, and again they would move ahead with wireless implementation. He also said they have gotten a cost estimate from Embarq for what it would take to fully transition to wireless of \$88K. He speculated that if they could get a grant for \$88K they could immediately move forward with signing a contract with Embarq. He surmised that if they were to sign that contract, presumably they would receive the balance of this year's funding, which would be about the \$40K they have committed to their operating requirements.

Mr. Smith summarized that the three options would be that they receive the funds they expected under the legislation; that they would receive a grant for \$66K, or even the \$40K that they have committed to operations; or that they would receive a grant for the full \$88K necessary to move forward with a contract with Embarq. He said he would appreciate Board consideration of one of those three options at this time, and offered to field any questions Board members might have.

Chairman Willis said that before questions he wanted to assure them that the Board will do everything it can to help solve the problem; that there is no intent around this table that any citizen does not get supported. He said we will figure out something, but that said, regardless of how the intent of the legislation is interpreted, we have to abide by the statute.

Sheriff Cloninger asked if the City and the County had entered into an MOU yet regarding the proposed consolidation. Mr. Smith replied they have not; they have an email letter from the County Manager describing the agreement they have in principle between the legislative bodies, but they don't have a signed MOU. When Sheriff Cloninger asked if they were a PSAP, Mr. Smith replied, "We thought we were", and Richard Taylor clarified that they are a wireline-only PSAP. Chief Reed interjected that Sheriff Jordan's and the city's dispatch centers do operate in conjunction where wireless calls that come in to the county are transferred to the city if it's a city issue. Sheriff Cloninger said he fully expected that to be the case, and said that he is simply trying to understand if they are truly moving toward consolidation or if this is an impediment to consolidation. Mr. Smith replied that this year in the Sheriff's Budget he has asked for, and the County Commissioners have agreed to provide him with, the additional funding necessary for him to add the "additional stations and personnel" for them to take over all wireless and wireline 911 calls, even for Washington. Mr. Smith said Sheriff Jordan will begin to keep statistics for both the city and the county, then the city and the county will appropriate funds for a consultant to provide a design for a consolidated system. He said they will collect statistics for 18 months and then begin construction. Based upon that, he speculated that they are probably 2.5 to 3 years away from having the physical "regional dispatch center" in place, but the Sheriff has agreed to "take over the whole thing". Mr. Smith said their first thought was "Why duplicate the cost?", which was why they didn't put the money in the budget to move forward with wireless, but added that they will continue to respond to all of the calls even if they come into the "regional dispatch center". He said they will then be the "back-up" for the "regional dispatch center". Sheriff Cloninger said that was going to be his next question, if they could

qualify as a back-up center, and Chairman Willis replied "If an arrangement is in place." Chairman Willis then asked if there were any further questions.

Wesley Reid asked what became of their wireline fund balance that transferred to the general fund on January 1, 2008; how much money was in that fund, and why wasn't it used for the upgrade if they knew there was an issue. Mr. Smith replied that Washington has been struggling financially, and that they were really using all of the funds on an annual basis and didn't accumulate a significant fund balance. He said it was all used for "emergency communications purposes" and didn't transfer into the general fund. Joe Durham speculated that there must have been some fund balance, and asked if it all had been spent on "equipment associated with the center." Mr. Smith replied it "basically paid for maintenance of equipment". He said "When the legislation changed, we took those things that are not eligible under the new legislation out of the budget and put them in the general police budget." Mr. Durham asked approximately how much the fund balance had been, and Chief Reed replied that he honestly didn't know. Mr. Smith said it seemed to him like it was "something under \$20K—seems like \$16K."

Jerry Jones asked if they had a grant proposal prepared to submit, and Chairman Willis observed as a point of order that since they are not eligible to receive funding, they are also not eligible to receive a grant. Wayne Bowers asked if the \$66K was 07-08 money or 08-09 money, and Mr. Smith replied it was 07-08, adding that they got \$66K in 07-08, which was what they budgeted for 08-09. Richard Taylor observed that they should only have received half, since funding for 07-08 stopped in January; that the last check they would have received from Embarq would have probably been in January. Mr. Taylor speculated that they probably have not received any funding from Embarq since then. Wayne Bowers then surmised that half the year's money should have come through, and Chairman Willis and Mr. Taylor concurred. Mr. Taylor stated they are looking for the six months they lost, as well as looking forward. Mr. Bowers asked if that would be \$66k, and Mr. Taylor replied that actually, based on the FY 2007 State Treasurer's report, their receipts for June 30, 2007 were \$74K. Mr. Smith explained they budgeted what they expected to receive, and they actually received more than the \$66K. Mr. Taylor continued, saying if they were to become a Primary PSAP, this is the funding they would receive from this Board under the formula, the \$74,374.00. Mr. Bowers then observed they should have received half of that for 07-08 from Embarq.

Dave Corn said that if they are not legally able to receive a grant from the grant fund, and the Legislature has already told us who the Primary PSAPs are, are they legally allowed to receive any funding? Chairman Willis said he would have to refer that to counsel, but observed that we faced something very similar with Kernersville. Jerry Jones asked if staff didn't go through the list of PSAPs that were getting funding and send a letter to those that wouldn't be getting funding in the future. Richard Taylor replied that Washington was sent a letter, but the letter was referring to funding of secondary PSAPs, and they did not think it applied to them, since they considered themselves to be a Primary PSAP. Mr. Smith concurred.

Laura Sykora said that she would abstain from the vote since Embarq is involved in a quote on this, but did say that she had a question for her understanding. She observed that the PSAP definition in the North Carolina law does not indicate wireless capability,

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so she asked if that was mandated in the federal law or the FCC order. Richard Bradford responded the wireless capability comes in through later portions of the statute, and some of the other definitions that speak to what a Primary PSAP is, as well as what can be reimbursed; the only reimbursable expenses relate to an enhanced 911 system, which, by definition, includes wireless capability. He added that Mr. Smith sent what Mr. Bradford considered a very good letter dated August 4 that is probably the best such letter received to date, but, like most of them, it looks at only portions of the statute and not the entire statute, as well as all that the FCC has done in this docket. He concluded by saying a construction issue exists that is slightly misunderstood, but the point that they're making today is that they are looking for a way to resolve a shortage in funding.

Observing that he thought this could go around in circles for a long time, Chairman Willis said he wanted to propose a couple of possible solutions. Noting that legal counsel has advised that the Board cannot pay City of Washington directly, and that would apply both to grants and to direct funding of their operation, he added that they might want to look at the list of eligible expenditures, since some expenditures listed as having been paid in last year's budget, and Mr. Smith's earlier reference to "dispatch", do not reflect eligible use. Mr. Smith acknowledged that. Chairman Willis then offered two potential approaches to resolving the problem. One was to have the County fund the city PSAP, and the other was to take steps to implement wireless 911 capability so that they could begin receiving funding. He added that if they do, indeed, have an agreement with the county to be the county's back-up center, they need the wireless capability in order to do that, so investing in that capability is not an unreasonable expenditure. Mr. Smith interjected that was their thought as to why they should go ahead with it anyway. Chairman Willis then asked how far the city PSAP was from the county PSAP, and Chief Reed said that they are presently only a block and a half from one another. He added, however, that they have already started the physical process of building a new Police facility, and that the county was also considering a new location. Chairman Willis observed that the implication was there will be further separation, and Chief Reed concurred.

Chairman Willis said that what he wanted to do was to have Richard Taylor come meet with them and the county to see if there is a way to expeditiously create an MOU and flow this funding through the county Primary PSAP to the city as a secondary. Observing that such an approach has been successful between Kernersville and Forsyth County, Chairman Willis said he believed this approach could solve their short term problem as they start a conversation about the wireless issue, and asked if the Board concurred. Jerry Jones asked if he meant being able to approve a grant or reinstate the missing funds, and Chairman Willis replied he was suggesting neither. Reiterating that we cannot approve a grant to them, he said that he does believe that given that there was funding in place, and that they do appear on the Treasurer's list, that there is a way that we can flow appropriate funding to them as a secondary until they can make the necessary arrangements to become wireless capable. Adding that we haven't established a grant program yet, he observed that the same thing that keeps them from being eligible for direct funding renders them ineligible to receive grant funding.

Frank Cairon asked if this would be funding for one year or funding going forward, and Chairman Willis said he expected they would be receiving base line funding from that point on. David Dodd asked if the funding would always go through the county, and Chairman Willis said it would have to until they establish themselves as a Primary PSAP. He said that given the working relationship that appears to exist between the city and the county he doesn't think that would particularly be a problem. Mr. Smith agreed, saying that their goal was to work with the county on this anyway, adding that the Chief and the Sheriff and he and the County Manager have good working relationships, but qualifying that he can't speak for the County Commissioners or the City Council.

Laura Sykora asked if, once a funding mechanism was in place, they would receive funding retroactively to January 1, 2008. Richard Taylor replied that was how it was done with Kernersville, and that this would be treated the same way provided a similar agreement was worked out. Chairman Willis reiterated that use of those funds will be monitored to ensure they are being used for eligible expenditures.

With no further Board discussion forthcoming, Mr. Smith thanked the Board for its time and Chairman Willis thanked him and the Chief for coming up.

#### **Correction to the Use of Fund List**

Richard Taylor reported that despite all the hard work of the use of fund committee and staff review of the eligible use of funds list when it was adopted, telecommunicator workstation computers had unintentionally been left off of the eligible use of funds list under hardware. This was brought to his attention by a PSAP that had taken to heart the admonition Chairman Willis had made when the list was adopted that "if it isn't on the list, it isn't eligible". Wishing to upgrade that equipment in their center, they couldn't find any mention of workstation computers on the list, so they called Mr. Taylor to find out why. To correct that omission, Mr. Taylor has proposed language comparable to that used allowing for server computers on the list, and is seeking Board approval. Jason Barbour made a motion to approve the revision, Joe Durham seconded, and the motion passed unanimously without abstention.

#### **Discuss and Appoint PSAP Grant Fund Committee**

Richard Taylor observed that since we have moved through the transitional phase of going from a Wireless 911 Board to a consolidated 911 Board, the next thing on his to-do list was getting a grant committee in place to start setting up rules and procedures for grants so we can start soliciting grant requests from PSAPs that may need them. He said that he is seeking volunteers to serve on the committee, and although he had proposed two potential meeting dates on the agenda, the October 8 meeting date would not be good because Richard Bradford will be on vacation. He speculated that the October 15 date would still be good, and said that he would like to get the committee together to start the process. Jason Barbour, David Dodd, Christie Derreberry, Joe Durham, Margie Fry, Laura Sykora, and Wesley Reid all volunteered, although Ms. Sykora advised she would be unavailable on the 15<sup>th</sup>. Mr. Taylor advised the meetings could be held via teleconference for those unable to travel.



Wesley Reid asked if the committee will be deciding upon an amount to appropriate for the grant fund, noting the potential \$3M listed on the proposed budget. Chairman Willis said he would be pleased to entertain recommendations from the committee to the Board about how much money that would be, and Richard Taylor mentioned that the \$3M came directly from the legislative directive that if more than \$3M were transferred to a grant fund the Board would have to consider lowering the fee. Jerry Jones asked what happens to the grant fund if it's not spent in any fiscal year, and Richard Bradford replied it goes into the fund balance. Mr. Jones asked if it would then be the Board's discretion as to whether or not it carries over into the next year's grant fund, and Chairman Willis replied it would be. He added that another discussion to go with that would center on whether or not we will have the money to transfer to the grant fund given current revenues. Jason Barbour asked if we have the answer to that question, and Chairman Willis replied that we do not, but we will be looking at that. He observed that involves the percentage shift and maybe we do have the ability to shift from one fund to the other if there are important things we wish to do.

Wesley Reid said that he has already fielded questions from several PSAPs about how quickly grant funding will be available, and said that he believes the reality of it will be that we're probably looking at early 2009 as a best case. Chairman Willis speculated that if the committee works well, we could have recommendations as to a process as soon as the next Board meeting. If that were the case, we could possibly publish a process in November. People could respond to that, put forward grant proposals, and we would have to review them. In terms of funding, the PSAP fund has been under distress, but we have shifted things to return that to a whole position. Richard Taylor interjected that the grant funding does come from the CMRS side rather than the PSAP side of the fund. Chairman Willis said that the CMRS fund is strong, and able to fund the recommended amount of cost recovery, so he thinks we can anticipate the funding for the grants can be made available as we get the process going.

Richard Bradford noted that in terms of timing, he thinks that this is not really a bad time to be starting this, because it seems likely that once started, the grant advertisements process that's usually used by agencies that have money to give grants, as well as the rules that apply to grants of State funds, would probably have us looking at the fiscal year beginning July 1, 2009. He observed this would give local entities plenty of time to put together a proposal and send that in. He also said to remember that the statute limits the time at which those funds can be transferred, and the timing of that corresponds to the end of the current fiscal year.

#### **Request by TracFone for ETC Certification Assistance**

Noting that no representatives for TracFone were present, Chairman Willis moved on to the next agenda item.

#### **Education Plan for PSAPs, Finance Directors, and City/County Managers**

Referring to the success of eligible use of wireless 911 fund seminars the Wireless 911 Board offered in Council of Government regions across the state in years past, and noting the changes that the new legislation has introduced, Richard Taylor reported that although the list of eligible uses of 911 funds has been a big help, many local

governments continue to have questions and have been asking for similar seminars to be offered regarding these changes. Mr. Taylor said that the fact that all expenditures now have to be reported, not just wireless expenditures, has spurred interest from local governments in ensuring they correctly understand what they can pay for with 911 funds. Noting that he wasn't singling out City of Washington, but simply citing them as a convenient example, he referred to the fact that, as illustrated in the budget copies they had presented in their request, nearly half of their wireline 911 fund use was formerly for ineligible expenses. He said he believes that has probably been the case for many other PSAPs as well, so what the staff would like to do is offer the same type of seminar again, but this time utilizing the list as well as the new reporting requirements, inviting city/county managers and finance/PSAP directors to attend. Referring to a map of the COG regions, he listed the locations within each region where he proposes to hold seminars, having selected them in an effort to ensure that travel will be as easy as possible for all the invitees within a given COG region. He said he has not set dates yet, because he wanted to get the Board's approval first.

Sheriff Cloninger asked if there is any way we can compel attendance, such as withholding funding if a local government fails to attend, and Mr. Taylor said that all we can do is encourage it. He added that most local governments do willingly attend, but that there are some counties that are problematic. By way of illustration he pointed out that through our reconciliation effort we believe that one particular county should be receiving more money than it is currently receiving, but that its Finance Director simply won't communicate with us; voice mail requests for call back are not answered, emails are not acknowledged, and even certified letters have failed to garner a response. Mr. Taylor said that the only time we have withheld funds in the past was when an agency repeatedly failed to submit its revenue/expenditure report. Sheriff Cloninger said that he is concerned about keeping staff problems to a minimum, which is why he suggested some sort of mandatory attendance.

Richard Taylor said that staff actually welcomes this opportunity to meet with these representatives face to face, giving them an opportunity to ask questions one on one. Chief Cherry offered that he thinks we should offer it every year due to staff turnover in local governments. Chairman Willis agreed that might be a good idea, and that the only cost was staff time and travel, which isn't significant. He suggested that Mr. Taylor draft a letter to each of the city/county managers and finance/PSAP directors for him to sign, encouraging them to come to these sessions so that they know what they're entitled to and so that they know what the current set of rules and processes are that they must adhere to, adding he would love to entertain a motion to that effect.

Jerry Jones said he thought this sounds like a lot of meetings, and asked if this involves the renting of hotels and conference rooms. Richard Taylor replied the only hotel costs are rooms for staff, as every one of the COG regions has hosted the meetings at no cost, adding that many of them even provide refreshments. He added that travel time is already built into routine staff duties, and this falls right in line with other staff travels throughout the State, so there's no real additional cost from that perspective.

Christie Derreberry asked when the last seminars were offered, and Mr. Taylor responded that was in 2006, adding that the new legislation has brought many changes. Ms. Derreberry offered that she thinks we almost have to do something like this, citing

the City of Washington issue as an example of why we have to get this information out. Mr. Taylor mentioned that he had offered a "Beta version" of the presentation at the State APCO/NENA convention, principally attended by PSAP directors, but also by Board members Jason Barbour, David Dodd, and Margie Fry, who indicated that they thought it went well. Chairman Willis said that he thinks it is important that we engage finance directors, and this gives us a great opportunity to do that.

David Dodd made a motion to approve offering the seminars, and Christi Derreberry seconded. Sheriff Cloninger added that he agrees with Chief Cherry; that once we take this session around, a refresher should be made available every year. He said that he thought the refresher should be offered in Raleigh, however, simply to train local government personnel who have been hired since the last offering. Chairman Willis said he would suggest we do this one and look at the results before setting future timing. He added that he would like to see engagement between 911 Board staff members and all 100 counties on at least an annual basis other than through paper. He offered that this might be the vehicle to establish that, and that comparing the amount of money this Board administers annually to the relatively small cost of offering this, it seems to him to be a good value. He called the motion, which passed unanimously with no abstentions.

### **Update on Comprehensive Statewide 911 Plan**

Chairman Willis said that everyone should have been expecting a report from Intrado on the Comprehensive Statewide 911 Plan at this meeting. He said that although Intrado thought they were prepared to do that, we did not. In reviewing the report that they had prepared, staff believed that it was a little too focused on opinion and not focused enough on the data they had collected; that those two things were mixed together too freely rather than kept separate. He said it was not clearly delineated what was the result of the study; what was the result of an analysis; what was the recommendation from experience in other States; and what was the recommendation from an Intrado methodology. He said it did not leave him or staff comfortable, and added that a number of conversations have taken place with Intrado around that topic. The result is that Intrado has now appointed one of their Executive Vice Presidents to review the plan, one who understands our concerns and, quite frankly, after viewing the report, agreed with us. They are now reorganizing that report to address those concerns and have assured us that they will have that ready for the next Board meeting. Chairman Willis said he just doesn't think we should have to undertake sorting out analysis from opinion from data when a well structured report could better prepare us for the things we have to.

Joe Durham asked if Chairman Willis or Richard Taylor were concerned about Intrado's ability to develop this report based upon our expectations at this stage, and both replied, "No". Mr. Durham then asked if the concern was just in how the report was being presented, and Chairman Willis and Mr. Taylor agreed that was the case; that they felt the data gathered was substantial and sufficient to be of value. Chairman Willis conceded that the report is late, already, noting that he considered that before asking them to re-do it, but he thinks it is very important that those things get presented in the right way. Laura Sykora asked if there was any additional cost, and Chairman Willis assured her there was not, saying they should have done it that way to start with.

Jerry Jones asked if there were any version of the report available to the public. Richard Bradford said that it could be made available in its draft form, but that at this point in time, based on what the Chairman has said and his own review and discussions with Richard Taylor and Intrado, "Your time would be better spent elsewhere."

Slayton Stewart said that he recalled they had an issue with a few of the data points they were trying to collect, and asked if they have resolved that problem. Richard Taylor said yes; that most of that centered on issues with telcos, but they already had access to a lot of that information within their company because of their relationships with telcos. He cited as an example the fact that they provide the wireline E911 database for AT&T, as well as wireless databases for multiple wireless carriers. Mr. Taylor advised them to look internally first, and if they still found questions they could not answer, to bring them back to this Board and let the Board solicit those answers from the telcos itself. He said that so far they haven't come back to him with any such issues.

Observing that the report is sure to be lengthy, Mr. Stewart asked if there is an estimated date of delivery to Board members before the next meeting. Chairman Willis replied that it would be distributed as soon as it arrives. Mr. Taylor recalled that our goal had originally been for Board members to have it for at least four weeks, adding that the draft document was about 467 pages, but noting that a good part of that is the data collection. He said the recommendations piece is much smaller. Mr. Stewart asked if there is an executive summary, and Mr. Taylor said the executive summary in the draft document had been about 24 pages. He added that he personally knows and greatly respects the Intrado EVP that is now involved in the process, and that although she is still reading the document and hasn't yet spoken with him about it, he expects to be speaking to her early next week, and feels that her input will be very valuable.

Wayne Bowers asked if any action was going to take place regarding the report at the next meeting, and Chairman Willis said that depending upon how much time everyone has to review it, we may wish to consider accepting the report. Dave Corn asked what, exactly, accepting the report means. Chairman Willis said he thinks it means we've accepted the report from Intrado: their data and their recommendations. That terminates the contract, i.e. we pay them their money. He stressed that will only happen if the report has been accepted by the Board; that if there is not that comfort level on the Board, it won't happen. It will be at the discretion of the Board.

### **Administrative Reports**

Chairman Willis asked if there were any questions regarding the administrative reports online, and hearing none, asked if there were any other matters to bring before the Board. Richard Bradford said he wanted to provide a quick update, noting that earlier this week the FCC published a notice related to an extended comment period on the location accuracy issue. He said that in the last two days he has not looked to see if it's been published in the Federal Register to establish the comment and reply dates, but he will do that, and if there is a desire by the Board to comment he will be happy to draft whatever the Board would like to submit. He said Board members may recall that this is a proceeding in which the FCC had originally determined that providers had to measure their location accuracy at the PSAP level, and the courts struck that down. So now the FCC has come back and appended an alternative plan to the actual filing. Mr. Bradford



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said that will be reviewed, and he's sure some Board members in the provider community are keeping tabs on it as well.

Jerry Jones asked if we have received a response from the FCC about the NSI phone issue. Mr. Bradford said there was no reason we would expect a response, as we had only filed a comment, not a petition asking them to take action. Richard Taylor said that process is continuing to move on, and that Jason Barbour may also have additional information about it, but he doesn't expect to see any action on it until the new year, and by that time there will probably be a new Chairman. Jason Barbour said it is liable to be second quarter of next year before we see anything out of the FCC. Mr. Taylor added that Governor Hunt had called him and asked him to meet with a company that his firm is representing that has a unique approach to solving the NSI phone problem. He said it is supposedly already in place at no additional cost. Mr. Taylor said he will be meeting with representatives from that company in October in Indianapolis to see a presentation. He observed some Board members may be familiar with the company: American Roaming Network. He said he believes the major concern is the liability issue, not a technical one.

### **Adjourn**

Chairman Willis adjourned the meeting at 11:24 AM.